Wetland Resources, Inc.

Delineation / Mitigation / Restoration / Habitat Creation / Permit Assistance

9505 19th Avenue S.E.
Suite 106
Everett, Washington 98208
(425) 337-3174
Fax (425) 337-3045

WETLAND DETERMINATION REPORT

FOR

HI-TECH PROPERTIES

Wetland Resources, Inc. Project #08063

Prepared By:

Wetland Resources, Inc.
9505 19th Ave. SE, Suite 106
Everett, Washington 98208
(425) 337-3174

For:

Hi-Tech Properties
Attn: Stan Patton and Dale Holpainen
4727 West Roberts Way
Seattle, Washington 98199

May 5, 2008

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Introduction

Wetland Resources, Inc. conducted a site investigation in March, 2008, to investigate critical area conditions on a site owned by Hi-Tech Properties. The subject property is located east of 44th Avenue West, south of 80th Street SW, and adjacent to the north of the Quadrant Business Park. The Washington State Department of Ecology Wetlands Identification and Delineation Manual, March 1997, was used to evaluate critical area conditions.

The property is composed of three parcels, totaling approximately 6.7-acres. With the exception of some small paved areas along the southern fringe, the site is vacant and is currently covered with forested and scrub-shrub vegetation. Red alder, salmonberry, Himalayan blackberry, and swordfern are the dominant species. Site topography is relatively flat with a slight northeast aspect. Surrounding land uses are commercial and industrial, with Quadrant Business Park to the south, Campbell Tracks, Inc. to the northwest, the City of Mukilteo Public Works facility to the north, and Whyte's Shelter Storage to the east.

The soils underlying the site are mapped in the Soil Survey of Snohomish County Area, 1983 edition, as Alderwood Urban-land complex. This soil is described as a moderately deep, moderately well-drained soil. Samples taken on-site appear to match this description.

Site Drainage History

A portion of the northeast corner of the site currently contains surface water that has been artificially introduced to the site. The surface water problem has persisted for many years, stemming from drainage issues on the surrounding parcels.

Beginning with the incomplete development of Quadrant Business Park in the early 1980s and continuing through development of the other surrounding parcels and 80th Street SW, surface water has been improperly directed onto and impounded within the subject property. The property owners have carefully documented their attempts to correct the drainage problems through the years but are still burdened with drainage issues. The following is a chronological account of the development and persistence of these issues.

1982 - Incomplete Development of Quadrant Business Park

The Quadrant Corporation began development of Quadrant Business Park in 1979. The original plan included eight buildings (A through H) that would be built in several phases. By October, 1981, six of the buildings (A through F) had been constructed and they were working toward permitting the final two buildings (G and H). The design of the final product included drainage infrastructure that would capture and convey surface water from the development to the city's stormwater system. For unknown reasons, buildings G and H were never built. The result was that the parking lot on the north side of building F was only partially constructed, sloping toward the subject

property (see Photo 1 in Appendix A), and the drainage infrastructure was never built to capture stormwater. During precipitation events, surface water flowed directly from the business park onto the subject property and ponding began to occur on a frequent basis, as shown in Photo 2, Appendix A. The property owners complained to the City that a serious drainage problem was damaging their property, but no repair occurred.

1989 - Whyte's Shelter Storage Berm Construction

No drainage repairs were undertaken to alleviate the drainage problems from the business park and the lack of drainage facilities was affecting other area properties. In response, Whyte's Shelter Storage, which lies due east of the subject property, constructed a berm along the eastern boundary of the subject property to prevent surface water from flowing onto their property (see Photo 3, Appendix A). Due to the topography of the area, the compacted berm caused all of the surface water from the business park to be impounded on the subject property, thereby increasing the burden on the property owners.

Gordon Johnson, City Engineer for the City of Mukilteo, wrote a letter to the owners of the subject property and Whyte's Shelter Storage in July, 1991, assuring them that the City would be correcting the drainage problem (see letter, Appendix B). No corrective action was taken and water continued to be impounded in the northeastern portion of the subject property.

1997 - Construction of 80th Street SW

In preparation for construction of the City of Mukilteo's Public Works facility, city crews began dumping spoils from street sweepers on the 80th Street SW right-of-way (see Photo 4, Appendix A). The spoils were intended to create a road bed for an entrance on the south side of the Public Works facility. At the same time, a culvert that had long conveyed hydrology under 80th Street SW was removed (see Photo 5, Appendix A) and replaced with another in a different location and at a higher elevation. At some point in this operation, it was determined that the sweeper spoils were not appropriate for the road foundation and they were removed. The replacement culvert was removed and again replaced in a different location and at an even higher elevation (Photo 6, Appendix A). The second replacement culvert is estimated to be at least two feet higher than the original culvert. In addition, a ditch that was located along the south side of 80th Street was filled and not rebuilt. These actions, combined with the berm that had been constructed by Whyte's Shelter Storage in 1989, caused serious water impoundment on the site.

2001 - Critical Area Reconnaissance by The Watershed Company

The property owners attempted to develop the property in 2001. They hired a wetland biologist from The Watershed Company to inspect the property and a condition report was provided. In the report (Appendix C), the drainage issues were described as artificially created. Data points were included in the report showing that, with the exception of the artificial drainage area, the site was dry. *Note: the report was written in 2001 but was incorrectly dated as 2000.*

2001 - Note to File from Troy Holbrook

In review of the development application and report by The Watershed Company, Troy Holbrook, Associated Planner with City of Mukilteo, wrote a note to the file (Appendix D) regarding the drainage issues. His conclusion was that the drainage problems were artificially created and non-regulated.

2003 - Critical Area Reconnaissance by The Watershed Company

The Watershed Company revisited the site in 2003 to inspect current conditions. Their conclusion was that conditions had not significantly changed since their 2001 visit and report (Appendix E).

2008 - Critical Area Reconnaissance by Wetland Resources, Inc.

The site was inspected by Wetland Resources, Inc., in March, 2008. The long-standing drainage problems are still evident, with ponding in the northeast corner of the site. Although the ponded areas do exhibit wetland indicators, they are clearly caused by artificially created conditions.

Conclusion

Based on the evidence provided, it is readily apparent that the subject property did not historically contain any wet areas. The artificial drainage that has been directed onto the site, along with the improper construction of 80th Street, have created areas of ponding that could turn into wetlands over time. The relocation of culverts during the construction of 80th Street appears to be the most direct cause of impounded water, since it can no longer drain to the northeast.

The City of Mukilteo's wetlands regulations (MMC 17.52B) include exemptions for certain activities. MMC 17.52B.040 (2) states that "work in those wetlands created after July 1, 1990, that were unintentionally created as a result of road, street, or highway construction" is exempt from regulation. Washington Department of Ecology's wetland delineation manual, the standard for wetland delineations in Washington State, also uses this definition. Since 80th Street was constructed after 1990, the ponded areas in the northeast portion of the site are exempt from regulation. There are no other regulated wetlands on or near the site.

Use of this Report

This Wetland Determination Report is supplied to Stan Patton and Dale Holpainen as a means of determining on-site critical area conditions. This report is based largely on readily observable conditions and, to a lesser extent, on readily ascertainable conditions. No attempt has been made to determine hidden or concealed conditions. Reports may be adversely affected due to the physical condition of the site and the difficulty of access, which may lead to observation or probing difficulties.

The laws applicable to wetlands are subject to varying interpretations and may be changed at any time by the courts or legislative bodies. This report is intended to provide information deemed relevant in the applicant's attempt to comply with the laws now in effect.

The work for this report has conformed to the standard of care employed by wetland ecologists. No other representation or warranty is made concerning the work or this report and any implied representation or warranty is disclaimed.

If you should need any further information regarding this property, please contact our office at (425) 337-3174.

Cordially,

John Laufenberg
Principal Wetland Ecologist
Professional Wetland Scientist

APPENDIX A
SITE PHOTOS

HI-TECH PROPERTIES
SITE PHOTOS

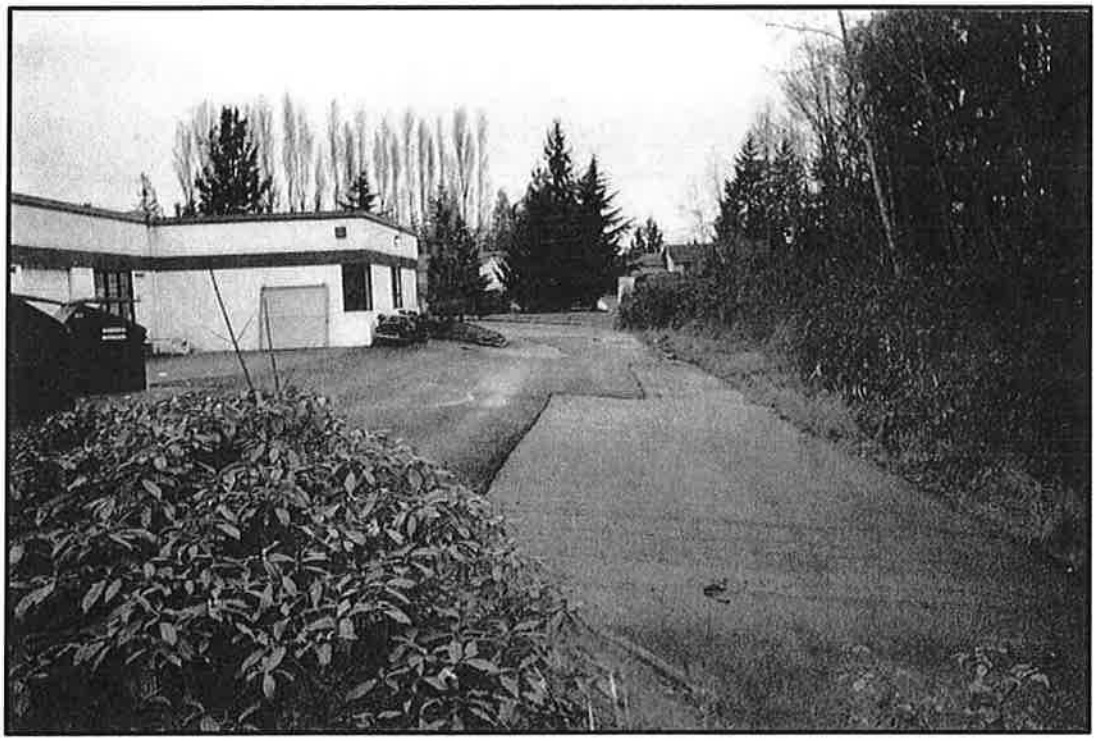

PHOTO 1: NORTH SIDE OF BUILDING F WITH PARKING LOT SLOPING TOWARD SUBJECT PROPERTY.

PHOTO 2: BUILDING F IN BACKGROUND. PONDING WITHIN SUJBECT PROPERTY DUE TO SURFACE RUNOFF FROM BUSINESS PARK.

HI-TECH PROPERTIES
SITE PHOTOS

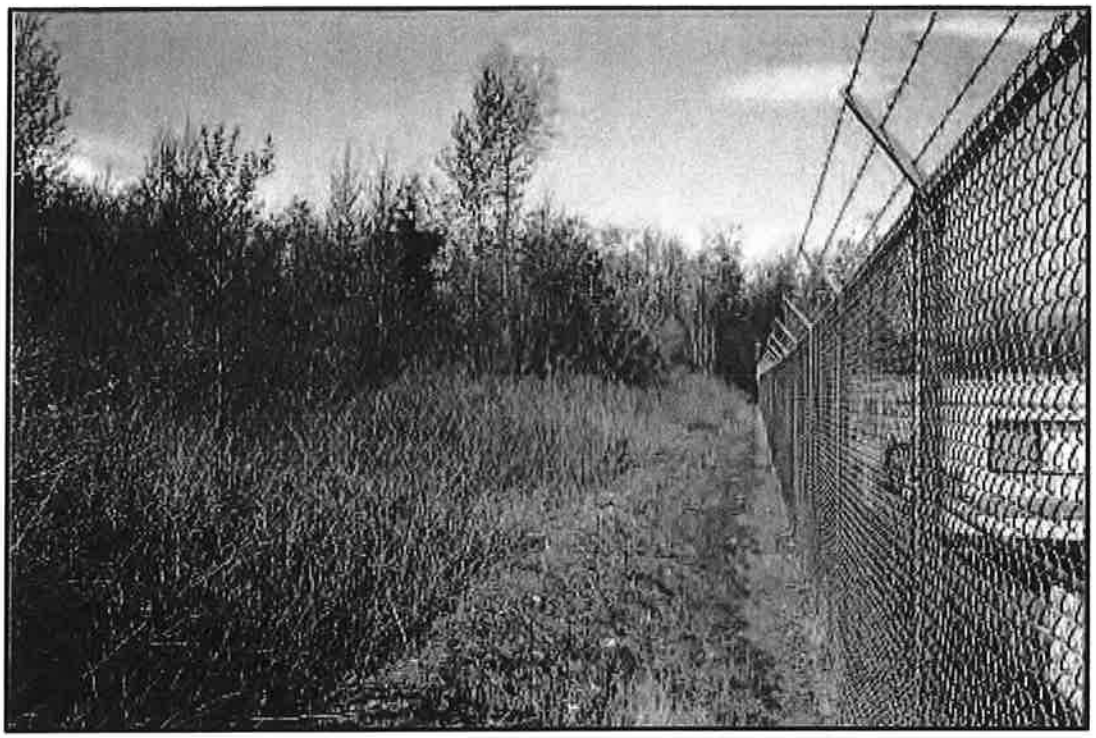

PHOTO 3: BERM ALONG EAST SIDE OF SUBJECT PROPERTY, LOOKING NORTH. WHYTE STORAGE TO RIGHT.

PHOTO 4: STREET SWEEPER SPOILS DEPOSITED ON 80TH STREET SW RIGHT-OF-WAY, LOOKING WEST.

HI-TECH PROPERTIES
SITE PHOTOS

PHOTO 5: ORIGINAL CULVERT FROM 80TH STREET SW.

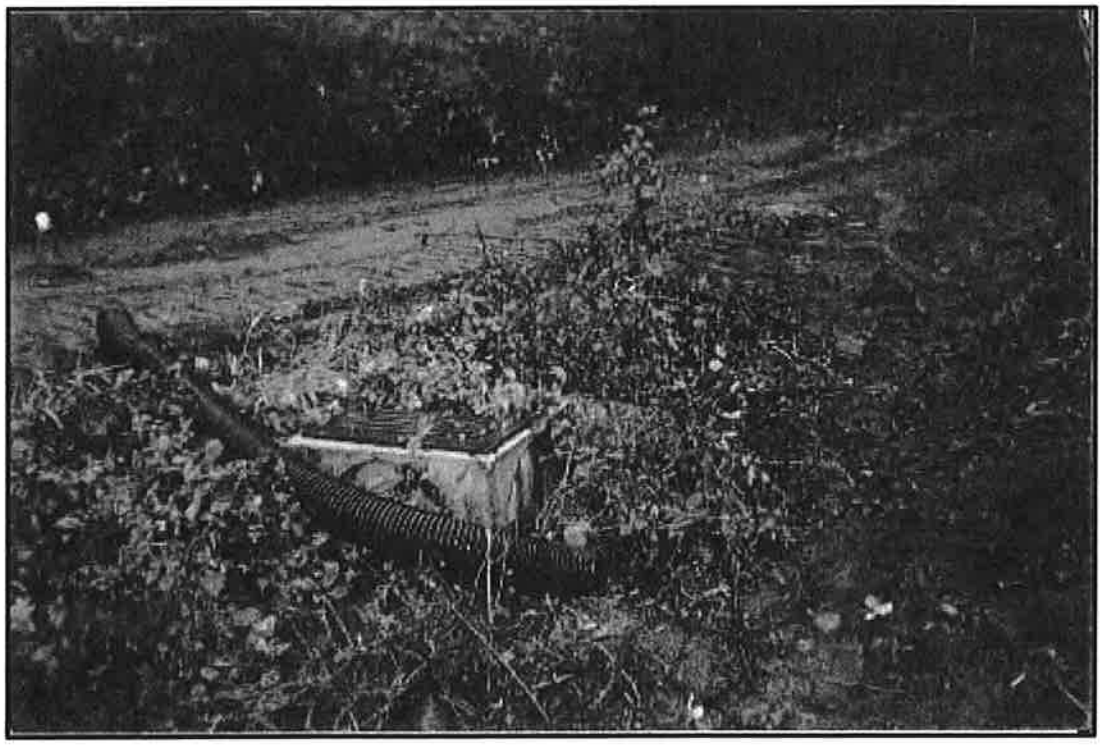

PHOTO 6: REPLACEMENT CULVERT UNDER 80TH STREET SW.

APPENDIX B
1991 CITY LETTER

CITY OF MUKILTEO

P.O. BOX 178
MUKILTEO, WASHINGTON 98275
(206) 355-4141

July 19, 1991

Mr. Tom Whyte
6825 Maple Drive NW
Marysville, WA 98270

Mr. Stan Patton
2220 148th S.E.
Mill Creek, Wa 98012

Re: Correction of Drainage Problem Northeast Corner of Quadrant Business Park

This letter is to assure you that correction of the drainage problem at the northeast corner of the Quadrant development is intended to be completed by the end of September this year.

The plan is to intercept the Quadrant drainage system near the southwest corner of the Whyte Storage site, and install a pipeline in the right of way south of Whyte Storage connecting to a drain line under the SR 526 curb. The discharge pipe on the Patton property will be plugged.

Sincerely

Gordon W. Johnson, P.E.
City Engineer

GWJ:pgi
cdd/eng/ltr:0570

APPENDIX C
THE WATERSHED COMPANY
CRITICAL AREA RECONNAISSANCE REPORT
2001

The Watershed Company

March 9, 2000

Hitech Properties
c/o Stan Patton & Dale Holpainen
4727 W. Roberts Way
Seattle, WA 98199

Dear Sirs:

On February 12, 2001, I visited your approximately 6.7-acre property that is located northwest of Highway 526 and north of the Quadrant Business Park in Mukilteo, Washington. According to information provided by you, several events have occurred on the properties surrounding yours that have directed, or are directing, water on to your property and have prevented, or are preventing, this water from draining off your site. A brief description of these events is as follows:

- **Along the south side of your property:** Quadrant Business Park was built between 1977 and 1981. Construction of the drainage system associated with this project reportedly was not completed. As a result, it appears that a substantial amount of the surface water generated from this development has been directed on to your property at the south end.
- **Along the east side of your property:** The owner of the Whyte Storage property purportedly had a large berm built and compacted inside your east property boundary in 1989. It appears that this berm has since acted to prevent water from draining off of your property, as it likely would have done following the previous natural topography.
- **Along the north side of your property:** The City of Mukilteo reportedly removed a culvert, filled a ditch and dumped an over 6-feet-high pile of street sweeping waste along the north boundary of your property. The City apparently replaced the removed culvert but at a higher elevation than the culvert they removed. While the pile of dumped material was present, it likely acted to further block water from draining off of your property. In addition, although most of the dumped material has since been removed by the City, the activity appears to have compacted the soils which has also blocked water drainage from your site. Furthermore, during the City of Mukilteo's recent development of their property, the contractor allegedly filled the ditch and removed the culvert again. The contractor then replaced the culvert again at a much higher elevation than before. The ditch has not been re-dug. Together these actions appear to have created a back up of water in the northeast corner of your property.

1410 Market Street • P.O. Box 1180 • Kirkland • WA 98033-0918 • Phone (425) 822-5242 • Fax (425) 827-8136

Based on observation during my field visit, it appears that a substantial amount of water has been, and is continuing to be, directed on to the south end of the east portion of your site from the Quadrant Business Park property. It also appears that water has been, and continues to be, blocked from draining off of your property to the north and east. The vegetation community and soil conditions currently present in the eastern part of your site appear to have been influenced by the above-listed activities that have occurred over the last twenty or more years.

Surface water does not appear to be draining to the west portion of your property. The west part of your site is likely to be representative of what the east portion of your property may have looked like had the above-described activities not occurred. The vegetation community in the west part of your property is typical for a second-growth upland forest community. Soils in this area are comprised of a silty gravelly loam that ranges from dark brown (10 YR 3/3) to dark yellowish brown (10 YR ¾) in color. Soils were dry in this part of the property, and no wetland indicators were present.

Please call if you have any questions about this information or if we can be of further assistance.

Sincerely,

Kathy Curry

Kathy Curry
Environmental Scientist

WETLAND DETERMINATION DATA FORM

WETLAND? YES (NO)

Date: 2/12/01

Data point: 1

Project Name: Hitech Properties Data point location: Mid property on W. side

Biologist(s): K.C.

Do normal environmental conditions exist? (YES) NO

Has vegetation, soils &/or hydrology been significantly disturbed? YES (NO)

VEGETATION

Stratum: T=tree, S=shrub, H=herb, V=vine

Dominant Species	Stratum	WIS	Dominant Species	Stratum	WIS
Bigleaf maple A. macrophyllum	T	FACU			
Bittercherry P. emarginata	T	FACU			
Alder A. rubra	T	FAC			
Salmonberry R. spectabilis	S	FACT			
Sword Fern P. munitum Gridcue.		FACU			

Percent of dominant species that are FAC or wetter < 50 %.

Vegetation criteria met? YES (NO)

Rationale:

SOILS

Depth	Horizon	Matrix Color	Mottle Color	Texture
13"	B	10 YR 3/4	Few	gravelly silt loam

Hydric Indicators:
- ___ Histosol
- ___ Histic epipedon
- ___ Sulfidic odor
- ___ Other

Soil Criteria Met? YES (NO)

Rationale:

HYDROLOGY

Depth to saturation ___

Depth of inundation ___

Flow? YES ___ NO ___

Channel? ___ Sheet? ___

Primary Indicators: (1 required)
- ___ Observation of inundation
- ___ Observation of soil saturation
- ___ Water marks
- ___ Drift lines or drainage patterns
- ___ Sediment deposits

Secondary Indicators: (≥2 required)
- ___ Oxidized root channels
- ___ Water-stained leaves
- ___ Local soil survey data
- ___ FAC-neutral test

Hydrologic Criteria Met? YES (NO)

Rationale: damp only

WILDLIFE OBSERVATIONS AND GENERAL NOTES

WETLAND DETERMINATION DATA FORM

WETLAND? YES (NO)

Date: 2/12/01

Data point: 2

Project Name: Hitech Properties

Data point location: N.W Corner

Biologist(s): KC

Do normal environmental conditions exist? (YES) NO

Has vegetation, soils &/or hydrology been significantly disturbed? YES (NO)

VEGETATION

Stratum: T=tree, S=shrub, H=herb, V=vine

Dominant Species	Stratum	WIS	Dominant Species	Stratum	WIS
Alder A. rubra	T	FAC			
Salmonberry R. spectabilis	S	FAC+			
Oregon grape B. nervosa		N1*			

Percent of dominant species that are FAC or wetter <50%.

Vegetation criteria met? YES (NO)

* Oregon grape is an upland plant species although has "N.I." status

Rationale:

SOILS

Depth	Horizon	Matrix Color	Motile Color	Texture
11"	B	10YR 3/4	None	Silty loam

Hydric Indicators:
- ___ Histosol
- ___ Histic epipedon
- ___ Sulfidic odor
- ___ Other

Soil Criteria Met? YES (NO)

Rationale:

HYDROLOGY

Depth to saturation ___

Depth of inundation ___

Flow? YES ___ NO ___

Channel? ___ Sheet? ___

Primary Indicators: (1 required)
- ___ Observation of inundation
- ___ Observation of soil saturation
- ___ Water marks
- ___ Drift lines or drainage patterns
- ___ Sediment deposits

Secondary Indicators: (≥2 required)
- ___ Oxidized root channels
- ___ Water-stained leaves
- ___ Local soil survey data
- ___ FAC-neutral test

Hydrologic Criteria Met? YES (NO)

Rationale: damp only

WILDLIFE OBSERVATIONS AND GENERAL NOTES

WETLAND DETERMINATION DATA FORM

WETLAND? YES (NO)

Date: 2/12/01

Data point: 3

Project Name: Hitech Properties

Data point location: NE ¼ of property E. of ditch on-site

Biologist(s): K.C.

Do normal environmental conditions exist? (YES) NO

Has vegetation, soils &/or hydrology been significantly disturbed? YES (NO) *disturbed >5 yrs ago for ditch excavation

VEGETATION

Stratum: T=tree, S=shrub, H=herb, V=vine

Dominant Species	Stratum	WIS	Dominant Species	Stratum	WIS
Paper birch Betula papyrifera	T	FAC			
Salmonberry R. spectabilis	S	FAC+			

Percent of dominant species that are FAC or wetter >50%

Vegetation criteria met? (YES) NO

Rationale:

SOILS

Depth	Horizon	Matrix Color	Mottle Color	Texture
12"	B	10YR 3/3	None	Silty loam

Hydric Indicators:
- ___ Histosol
- ___ Histic epipedon
- ___ Sulfidic odor
- ___ Other

Soil Criteria Met? YES (NO)

Rationale:

HYDROLOGY

Depth to saturation ___

Depth of inundation ___

Flow? YES ___ NO ___

Channel? ___ Sheet? ___

Primary Indicators: (1 required)
- ___ Observation of inundation
- ___ Observation of soil saturation
- ___ Water marks
- ___ Drift lines or drainage patterns
- ___ Sediment deposits

Secondary Indicators: (≥2 required)
- ___ Oxidized root channels
- ___ Water-stained leaves
- ___ Local soil survey data
- ___ FAC-neutral test

Hydrologic Criteria Met? YES (NO)

Rationale: dry

WILDLIFE OBSERVATIONS AND GENERAL NOTES

WETLAND DETERMINATION DATA FORM

WETLAND? YES (NO)

Date: 2/12/01

Data point: 4

Project Name: Hitech Properties

Data point location: SE of sp 1

Biologist(s): K.C.

Do normal environmental conditions exist? (YES) NO

Has vegetation, soils &/or hydrology been significantly disturbed? YES (NO)

VEGETATION

Stratum: T=tree, S=shrub, H=herb, V=vine

Dominant Species	Stratum	WIS	Dominant Species	Stratum	WIS
Bigleaf maple A. macrophyllum	T	FACU			
Alder A. rubra	T	FAC			
Salmonberry R. spectabilis	S	FACT			
Sword fern P. munitum Grd.		FACU			

Percent of dominant species that are FAC or wetter < 50 %

Vegetation criteria met? YES (NO)

Rationale:

SOILS

Depth	Horizon	Matrix Color	Mottle Color	Texture
12"	B	10 YR 3/4	–	gravelly silt loam

Hydric Indicators:
- ___ Histosol
- ___ Histic epipedon
- ___ Sulfidic odor
- ___ Other

Soil Criteria Met? YES (NO)

Rationale:

HYDROLOGY

Depth to saturation ___

Depth of inundation ___

Flow? YES ___ NO ___

Channel? ___ Sheet? ___

Primary Indicators: (1 required)
- ___ Observation of inundation
- ___ Observation of soil saturation
- ___ Water marks
- ___ Drift lines or drainage patterns
- ___ Sediment deposits

Secondary Indicators: (≥2 required)
- ___ Oxidized root channels
- ___ Water-stained leaves
- ___ Local soil survey data
- ___ FAC-neutral test

Hydrologic Criteria Met? YES (NO)

Rationale: damp only

WILDLIFE OBSERVATIONS AND GENERAL NOTES

WETLAND DETERMINATION DATA FORM

WETLAND? * (YES) NO — man-made condition

Date: 2/12/01

Data point: 5

Project Name: Hitech Properties

Data point location: SE 1/3 of property, below where water from neighboring properties is being dumped. Recent grading work disturbance

Biologist(s): K.C.

Do normal environmental conditions exist? YES (NO) →

Has vegetation, soils &/or hydrology been significantly disturbed? (YES) NO

VEGETATION

Stratum: T=tree, S=shrub, H=herb, V=vine

Dominant Species	Stratum	WIS	Dominant Species	Stratum	WIS
Alder A. rubra	T	FAC			
Salmonberry R Spectabilis	S	FAC+			

Percent of dominant species that are FAC or wetter 75%

Vegetation criteria met? (YES) NO

Rationale:

SOILS

Depth	Horizon	Matrix Color	Mottle Color	Texture
12"	B	10 YR 3/1		Sandy silt loam on top of clay

Hydric Indicators:
- ___ Histosol
- ___ Histic epipedon
- ___ Sulfidic odor
- ___ Other

Soil Criteria Met? (YES) NO

Rationale:

HYDROLOGY

Depth to saturation Surface

Depth of inundation ___

Flow? YES ___ NO ___

Channel? ___ Sheet? ___

Primary Indicators: (1 required)
- ___ Observation of inundation
- ✓ Observation of soil saturation
- ___ Water marks
- ___ Drift lines or drainage patterns
- ___ Sediment deposits

Secondary Indicators: (≥2 required)
- ___ Oxidized root channels
- ___ Water-stained leaves
- ___ Local soil survey data
- ___ FAC-neutral test

Hydrologic Criteria Met? (YES) NO

Rationale: *Hydrology is man-made condition. Surface water from neighboring developments diverted onto this property

WILDLIFE OBSERVATIONS AND GENERAL NOTES

Hitech Properties
1984 Aerial Photo of Property

- Approximate Data Point Locations – February 12, 2001

APPENDIX D
2001 CITY MEMO

APPENDIX E
THE WATERSHED COMPANY
CRITICAL AREA RECONNAISSANCE REPORT
2003

The Watershed Company

March 11, 2003

Hitech Properties
c/o Stan Patton & Dale Holpainen
4727 W. Roberts Way
Seattle, WA 98199

Dear Sirs:

Today I visited your approximately 6.7-acre property that is located northwest of Highway 526 and north of the Quadrant Business Park in Mukilteo, Washington. Per your request, I returned to your property to review current site conditions and compare to conditions present during a previous site visit that I conducted on February 12, 2001. The findings of my previous site visit are discussed in a March 9, 2001 letter (that was incorrectly dated 2000) sent to you.

Overall, the conditions on your property have not changed since I previously visited the site in February 2001. The only exceptions to this include the installation of some drainage improvements in the northeast corner and in the central, southwest portion of the property.

Please call if you have any questions about this information or if we can be of further assistance.

Sincerely,

Amy Myers for

Kathy Curry
Environmental Scientist/PWS

1410 Market Street • Kirkland • WA 98033 • Phone (425) 822-5242 • Fax (425) 827-8136

APPENDIX F
WETLAND DETERMINATION REPORT MAP

WETLAND DETERMINATION REPORT MAP

HI-TECH PROPERTIES

PORTION OF SECTION 10, TOWNSHIP 28N, RANGE 4E, W.M.

Scale 1" = 100'

0 50 100 150 200

Wetland Resources, Inc.

Delineation / Mitigation / Restoration / Habitat Creation / Permit Assistance

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Phone: (425) 337-3174
Fax: (425) 337-3045
Email: mailbox@wetlandresources.com

WETLAND DETERMINATION REPORT MAP

HI-TECH PROPERTIES

CITY OF MUKILTEO, WASHINGTON

Hi-Tech Properties
4727 W. Roberts Way
Seattle, WA 98199

Sheet 1/1
WRI Job #08063
Drawn by: JL
Date: 05.05.2008